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PATENT

Attorney Reference Number 4810-58741

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Kunst and Clemens

Art Unit: Not yet assigned

Application No. 09/806,708

CERTIFICATE OF MAILING

Filed: April 3, 2001

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 3, 2001, as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

For: REGULATION OF EMBRYONIC
TRANSCRIPTION IN PLANTS

Examiner: Not yet assigned

Date: May 3, 2001

Tanya M. Harding, Ph.D.
Attorney for Applicant

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Enclosed for filing in the application referenced above are the following:

- ☒ Information Disclosure Statement
- ☒ Form 1449 and references cited thereon
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

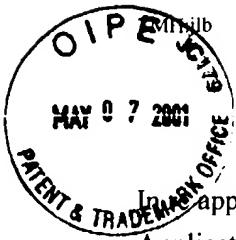
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LEIGH & WHINSTON, LLP

By

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cc: Docketing



Mail 05/03/01 4810-58741 48618

PATENT

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In application of: Kunst and Clemens

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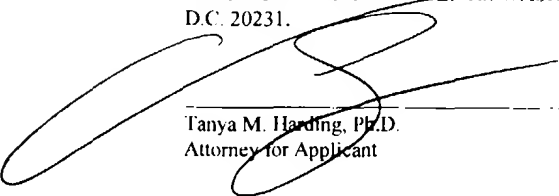
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Tanya M. Harding, Ph.D.
Attorney for Applicant

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(2)

COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

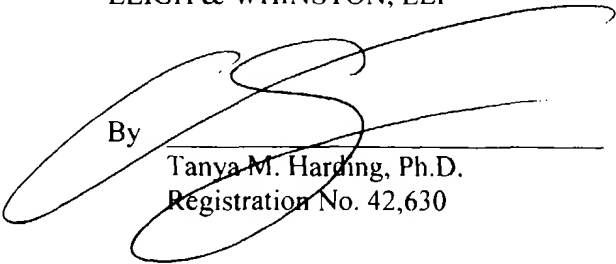
Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Applicants filed this Information Disclosure Statement within three months of the date of entry of the national stage as set forth in § 1.491 in an international application. However, if the Patent Office determines that a fee is required for Applicants to file this Information Disclosure Statement, please see the attached transmittal sheet for Deposit Account authority.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

Docket: 4810-58741

App: 09/806,708

Applicant: Kunst and Clemens

Filed: April 3, 2001

Art Unit: Not yet
assigned

FOREIGN PATENT DOCUMENTS

		Number	Date	Country	Class	Sub		
		WO 9515387	6/8/95	WIPO				
		WO 9613582	5/9/96	WIPO				
		WO 9846766	10/22/98	WIPO				
		WO 9854954	12/10/98	WIPO				
		WO 9903983	1/28/99	WIPO				
		WO 9954471	10/28/99	WIPO				

OTHER DOCUMENTS

			Kunst <i>et al.</i> , "Fatty acid elongation in developing seeds of <i>Aarabidopsis thanliana</i> ," <i>Plant Physiolog. Biochem.</i> 30(4):425-434, 1992
			James <i>et al.</i> , "Directed Tagging of the <i>Arabidopsis FATTY ACID ELONGATIONI (FAE1)</i> gene with the Maize Transposon Activator," <i>Plant Cell</i> 7:309-319, March 1995
			Venkateswari <i>et al.</i> , "Molecular Cloning and Characterization of <i>FATTY ACID ELONGATIONI (BjFAE1)</i> gene of <i>Brassica juncea</i> ," <i>J. Plant Biochem. Biotech.</i> 8(1):53-55, January 1999
			Millar <i>et al.</i> , "CUT1, an Arabidopsis gene required for cuticular wax biosynthesis and pollen fertility, encodes a very-long-chain fatty acid condnsing enzyme," <i>Plant Cell</i> , 11(5):825-838, May 1999

EXAMINER:

DATE

*Examiner: Initial if considered, whether or not in conformance with MPEP 609; draw line through cite if not in conformance and not considered. Send copy.



INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

Docket: 4810-58741

App: 09/806,708

Applicant: Kunst and Clemens

Filed: April 3, 2001

Art Unit: Not yet
assignedJames *et al.*, EMBL Accession No. U29142, July 21, 1995Roscoe *et al.*, EMBL Accession No. U50771, April 4, 1996

Clemens and Kunst, EMBL Accession No. AF009563, October 7, 1997

EXAMINER:

DATE

*Examiner: Initial if considered, whether or not in conformance with MPEP 609; draw line through cite if not in conformance and not considered. Send copy.

INTERNATIONAL SEARCH REPORT

Int. l. Application No

PCT/CA 00/00907

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N15/82 C12N5/10 A01H5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, STRAND, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 95 15387 A (LARDIZABAL KATHRYN DENNIS ; LASSNER MICHAEL W (US); METZ JAMES GEOR) 8 June 1995 (1995-06-08) the whole document ---	1,4,6,7, 10
X	WO 96 13582 A (DNA PLANT TECHN CORP) 9 May 1996 (1996-05-09) cited in the application examples 2,3 ---	1,4,6,7, 10
Y	ROSCOE TJ ET AL: "Brassica napus fatty acid elongase (FAE1) homolog mRNA" EMBL NUCLEOTIDE SEQU, XP002109729 accession no. U50771 ---	1,4,6,7, 10,13-15

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Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

* & * document member of the same patent family

Date of the actual completion of the international search

20 March 2001

Date of mailing of the international search report

02/04/2001

Name and mailing address of the ISA

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Holtorf, S

INTERNATIONAL SEARCH REPORT

Inte .ional Application No

PCT/CA 00/00907

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	<p>VENKATESWARI J ET AL: "Molecular cloning and characterization of FATTY ACID ELONGATION1 (BjFAE1) gene of Brassica juncea."</p> <p>JOURNAL OF PLANT BIOCHEMISTRY AND BIOTECHNOLOGY, vol. 8, no. 1, January 1999 (1999-01), pages 53-55, XP000991381 ISSN: 0971-7811 figure 3</p>	1,4,6,7, 10,13-15
A	<p>WO 98 54954 A (POST BEITTENMILLER MARTHA ANN ;CARGILL INC (US); JAWORSKI JAN G (U) 10 December 1998 (1998-12-10) example 1</p>	
A	<p>JAMES D W ET AL: "DIRECTED TAGGING OF THE ARABIDOPSIS FATTY ACID ELONGATION1 (FAE1) GENE WITH THE MAIZE TRANSPOREN ACTIVATOR"</p> <p>PLANT CELL,US,AMERICAN SOCIETY OF PLANT PHYSIOLOGISTS, ROCKVILLE, MD, vol. 7, March 1995 (1995-03), pages 309-319, XP002911493 ISSN: 1040-4651 cited in the application abstract; figure 6</p>	
A	<p>DATABASE EMBL SEQUENCE DATABASE 'Online! 4 July 1995 (1995-07-04) JAMES, D.W.; ET AL. : "DIRECTED TAGGING OF THE ARABIDOPSIS FATTY ACID ELONGATION1 (FAE1) GENE WITH THE MAIZE TRANSPOson ACTIVATOR"</p> <p>XP002163429 accession no. U29142</p>	
A	<p>KUNST L ET AL: "FATTY ACID ELONGATION IN DEVELOPING SEEDS OF ARABIDOPSIS THALIANA"</p> <p>PLANT PHYSIOLOGY AND BIOCHEMISTRY,FR,GAUTHIER-VILLARS, PARIS, vol. 30, no. 4, 1992, pages 425-434, XP002063741 ISSN: 0981-9428 cited in the application</p>	
A	<p>WO 98 46766 A (UNIV BRITISH COLUMBIA) 22 October 1998 (1998-10-22) page 5, line 25-27; page 9, line 35; page 10, line 34 - page 11, line 33; example 3;</p>	

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INTERNATIONAL SEARCH REPORT

Int. l. Application No

PCT/CA 00/00907

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>MILLAR ANTHONY A ET AL: "CUT1, an Arabidopsis gene required for cuticular wax biosynthesis and pollen fertility, encodes a very-long-chain fatty acid condensing enzyme." PLANT CELL, vol. 11, no. 5, May 1999 (1999-05), pages 825-838, XP002163221 ISSN: 1040-4651 page 827, left column; last sentence; right column, first paragraph; Fig.3;</p>	
A	<p>WO 99 03983 A (CARNEGIE INST OF WASHINGTON ;MONSANTO COMPANY INC (US)) 28 January 1999 (1999-01-28) the whole document</p>	
A	<p>DATABASE EMBL SEQUENCE LIBRARY 'Online! 24 July 1997 (1997-07-24) CLEMENS, S. AND KUNST, L.: "isolation f a Brassica napus cDNA (accession no. AF009563) encoding 3-ketoacyl-CoA synthase, a condensing enzyme involved in the biosynthesis of very long chain fatty acids in seeds (PGR97-125)" XP002163222 accession no. AF009563</p>	
P,X	<p>WO 99 54471 A (HOLROYD GEOFFREY HEYS ;ZENECA LTD (GB); GRAY JULIE ELIZABETH (GB);) 28 October 1999 (1999-10-28) the whole document</p>	1,2,4, 6-8,10

INTERNATIONAL SEARCH REPORT

Information on patent family members

Int .tional Application No

PCT/CA 00/00907

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9515387	A	08-06-1995	US 5679881 A CA 2177598 A EP 0731840 A JP 9505739 T	21-10-1997 08-06-1995 18-09-1996 10-06-1997
WO 9613582	A	09-05-1996	AU 703957 B AU 3969995 A CA 2203754 A EP 0788542 A US 6124524 A	01-04-1999 23-05-1996 09-05-1996 13-08-1997 26-09-2000
WO 9854954	A	10-12-1998	AU 7721098 A EP 0986296 A	21-12-1998 22-03-2000
WO 9846766	A	22-10-1998	AU 7019198 A EP 0975767 A	11-11-1998 02-02-2000
WO 9903983	A	28-01-1999	US 5965793 A AU 8404498 A BR 9811014 A EP 1002067 A	12-10-1999 10-02-1999 26-09-2000 24-05-2000
WO 9954471	A	28-10-1999	AU 3615199 A BR 9909765 A EP 1080196 A	08-11-1999 19-12-2000 07-03-2001